

# ***Member Rights and Protections***



- Another Great DSAMH Production

# **GOAL**

**To identify and provide a clear understanding of Members  
Rights and Protections**

# **OBJECTIONS:**

**To identify DSAMH mission statement and its dedication to protect consumer rights and to protect against abuses.**

**Define some common abuses and the importance of protection against exploitation**

**Provide an overview of the ADA and its protections of this special population**

# **DSAMH'S MISSION STATEMENT:**

- ✓ **To improve the quality of life for adults having mental illness, alcoholism, drug addiction, or gambling addiction by promoting their health and well-being, fostering their self-sufficiency and protecting those who are at *risk*.**
- ✓ **The Division accomplishes its mission by providing treatment, education, prevention, and advocacy in accordance with the following *priorities*:**

# **DSAMH'S MISSION STATEMENT:**

- ✓ **Serve adults with disabilities resulting from severe and persistent mental illness, alcoholism, drug addiction, or gambling addiction.**
- ✓ **Support *community occupancy* for adults with severe and persistent mental illness, alcoholism, or drug addiction.**

# **DSAMH'S MISSION STATEMENT:**

✓ Work in partnership with other public and private sector organizations, consumers and family members to ensure that the *mission* is carried out.

# **DSAMH'S MISSION STATEMENT:**

✓ Continue to develop a comprehensive, high quality, appropriate, coordinated, and integrated system of alcohol, drug abuse and mental health treatment *services that are appropriate to the needs* of individual clients/consumers.

# **DSAMH'S MISSION STATEMENT:**

✓ **Maximize consumer self-determination and individuality and *protection of consumer rights***

## **MORE ON DSAMH'S MISSION:**

**Patients residing in healthcare facilities (including nursing homes and mental health facilities) and state-licensed group homes, have *special protection* under Delaware law.**

## **MORE ON DSAMH'S MISSION:**

**Because they are often completely dependent upon the facilities that are providing them care, these patients are particularly vulnerable to abuse, neglect, and exploitation.**

**Under *Delaware law*, patient abuse, neglect, and exploitation includes physical, sexual, emotional, or financial crimes committed against a patient.**

## **MORE ON DSAMH'S MISSION:**

**Certain behavior may rise to the level of emotional abuse even without physical contact.**

**Criminal neglect may occur when a caregiver fails to provide treatment or care that is necessary to maintain the health or safety of the patient. Delaware law provides enhanced penalties for crimes against infirm victims.**

## DEFINITIONS:

***Neglect:*** failing to provide a needed care: attention, food, clothing, supervision etc...

***Physical Abuse:*** intentional physical act by a staff or other which causes or may cause physical injury to a person.

***Psychological Abuse:*** Acts other than verbal, which may inflict emotional harm, invoke fear or humiliate, intimidate, degrade or demean a person.

***Sexual Abuse:*** any acts or attempted acts such as rapes, incest, sexual molestation, exploitation, or sexual harassment and inappropriate or unwanted touching.

***Verbal Abuse:*** Verbalizations, which inflict or may inflict emotional harm, invoke fear and/or humiliation, intimidation and degrading or demeaning a person.

**ACCORDING TO THE 2014 ACT STANDARDS:  
ACT TEAMS SHALL BE KNOWLEDGEABLE ABOUT  
AND FAMILIAR WITH INDIVIDUAL RIGHTS  
INCLUDING THE CLIENTS' RIGHTS TO:**

**29.1.1 Confidentiality**

**29.1.2 Informed consent to medication and treatment**

**29.1.3 Treatment with respect and dignity**

**29.1.4 Prompt, adequate, and appropriate treatment**


**29.1.5 Treatment which is under the least restrictive conditions and which promotes individuals' meaningful community integration and opportunities to live like ordinary Delawareans;**

**29.1.6 Nondiscrimination;**

**29.1.7 Control of own money;**

**29.1.8 Voice or file grievances or complaints.**

# WHAT, AND WHY?



## ADA and Disability Law

The Americans with Disabilities Act is a federal regulation enacted by Congress in 1990 and signed into law that same year on July 26<sup>th</sup>, by President George H.W. Bush.

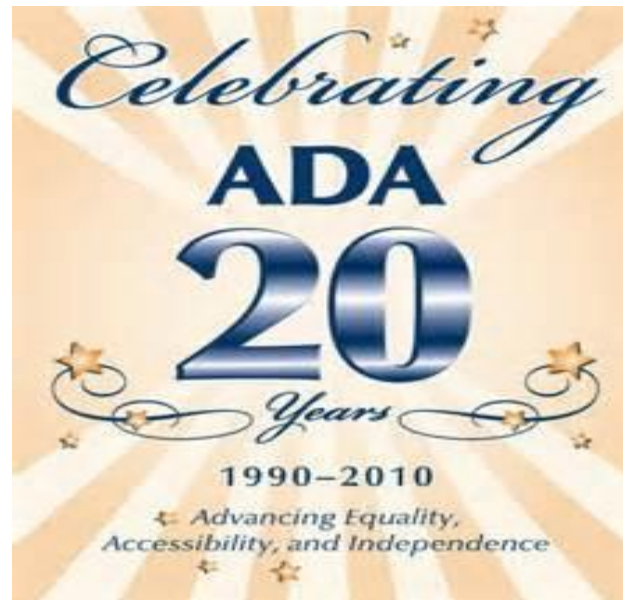
# WHY?

The ADA is a law that protects people living with disabilities from certain types of discrimination.

It provides similar protections as the Civil Rights Act of 1964, which protects against unfair treatment based on race, religion, sex and national origin.

1 out of 5 Americans  
have a disability

Brault, 2008



More on rights...

# **CONSUMER RIGHTS COMPLETED**

**The Bill Of Rights: The government may not deprive citizens of “life, liberty, or property” without due process of law...**

**People living with Severe and Persistent Mental Illness (SPMI) in today’s society must be afforded the same rights and protections as all other Americans!**

# **EPILOG**

**In providing the protections of the natural human rights of those we support and serve, we are in-effect protecting our own rights and liberties.**

**It is only through this time honored and worthy event that we will truly maintain our humanity.**

# Thank-you!

Upon completion of this curriculum, please send your name and that of your supervisor to the e-mail box: [dsamhpromise@state.de.us](mailto:dsamhpromise@state.de.us) as proof of your task completion.

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